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10 R. Bell, and R. Linfor

11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 **MICHAEL LYNN WATERS,**

16 Plaintiff,

17 v.

18 **A.W. COOK, et al,**

19 Defendants.  
20

C 07-4683 CRB (PR)

**DECLARATION OF  
COUNSEL IN SUPPORT OF  
DEFENDANTS' MOTION  
FOR A THIRTY-DAY  
EXTENSION OF TIME TO  
FILE A DISPOSITIVE  
MOTION**

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22 I, Lily A. Korman, declare as follows:

23 1. I am an attorney admitted to practice before this Court. I am employed by the  
24 California Attorney General's Office as a Deputy Attorney General in the Correctional Law  
25 Section, and I am assigned to represent Defendants C. Wilber, F. Jacquez, R. Horel, J. Robertson,  
26 D. Melton, M. Cook, C. Patten, R. Bell, and R. Linfor (Defendants) in this case. I am competent  
27 to testify to the matters set forth in this Declaration, and if called upon to do so, I would and  
28 could so testify. I submit this declaration in support of Defendants' Motion for a Thirty-Day

Decl. Counsel Supp. Defs.' Mot. Ext. Time

*Waters v. Cook, et al.,*  
C 07-4683 CRB (PR)

1 Extension of Time to File a Dispositive Motion.

2 2. This is a 42 U.S.C. § 1983 action filed by a state prisoner. The Complaint was filed on  
3 September 11, 2007. (Compl., Docket No. 1.)

4 3. On January 11, 2008, this Court found that liberally construed, Plaintiff stated  
5 cognizable claims under 42 U.S.C. § 1983 for injunctive relief based on deliberate indifference to  
6 his safety needs and ordered service on Defendants. (Order, Docket No. 8.) This Court directed  
7 Defendants to file a motion for summary judgment or other dispositive motion “[n]o later than 90  
8 days from the date of this order.” (*Id.*) Thus, a motion for summary judgment or dispositive  
9 motion is currently due on April 10, 2008.

10 4. In March, I was assigned to this case and I began my review of this matter.

11 5. I began drafting a dispositive motion in this case but determined that I need to conduct  
12 further factual research and consult with witnesses. Therefore, I request a thirty-day extension of  
13 time, up to and including May 12, 2008, to file Defendants’ motion for summary judgment or  
14 other dispositive motion.

15 6. Plaintiff is confined in state prison and cannot easily be contacted concerning an  
16 extension of time. I will serve Plaintiff by overnight mail since it is difficult to deliver a copy of  
17 the motion to him the same day under Local Rule 6-3.

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7. This is Defendants' first request for an extension of time. This request is not made for purposes of delay, or harassment, or any other improper purpose.

Dated: April 9, 2008

Respectfully submitted,

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